

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of JAMES PAUL BEARDSLEY and  
STEPHEN BEARDSLEY, Minors.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

JULIA HOPE BEARDSLEY,

Respondent-Appellant,

and

RAYMOND CHARLES BEARDSLEY,

Respondent.

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UNPUBLISHED

January 29, 2008

No. 278024

Oakland Circuit Court

Family Division

LC No. 03-677704-NA

Before: Beckering, P.J., and Sawyer and Fort Hood, JJ.

MEMORANDUM.

Respondent mother appeals as of right from the trial court order terminating her parental rights under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

This Court reviews decisions terminating parental rights for clear error. MCR 3.977(J). Clear error has been defined as a decision that strikes this Court as more than just maybe or probably wrong. *In re Trejo*, 462 Mich 341, 357; 612 NW2d 407 (2000). Termination of parental rights is mandatory if the trial court finds that the petitioner established a statutory ground for termination, unless the court finds that termination is clearly not in the child's best interest. *Id.* at 344. Here, respondent mother pleaded no contest to the allegations of the petition for permanent custody and the trial court found that MCL 712A.19b(3)(c)(i), (g), and (j) were established by clear and convincing evidence.

The children were removed from the custody of respondent parents when James was two and one-half years old and Stephen was a few weeks old. They were returned for a period of eight months but were removed again because of domestic violence between respondent parents. Although respondent mother argues that her divorce from respondent father solved the problems leading to the second removal, all of the professionals involved with the children still

recommended termination. The psychological evaluator of respondent mother and James testified that it would take a very long time before respondent mother would be able to care for the children even if she were highly motivated to make changes and received all of the help she needed to do so. The children's therapist testified that Stephen did not have much of an attachment to respondent mother, James did not believe respondent mother would protect him, and both children needed permanence that respondent mother was not able to provide.

Further, although respondent mother argues that the termination was premature, the case was open for four years and respondent parents were offered a variety of services and ample support to reunify their family. Therefore, the trial court did not clearly err in its best interests determination.

Affirmed.

/s/ Jane M. Beckering

/s/ David H. Sawyer

/s/ Karen M. Fort Hood